

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

NEPTUNE TECHNOLOGIES &
BIORESSOURCES, INC. and
L'UNIVERSITÉ DE SHERBROOKE,

Plaintiffs,

v.

AKER BIOMARINE ANTARCTIC AS
AKER BIOMARINE ASA,
JEDWARDS INTERNATIONAL, INC. and
VIRGIN ANTARCTIC LLC,

Defendants.

Case No. 1:09-cv-11946-MLW

REQUEST FOR ORAL ARGUMENT

AKER BIOMARINE ANTARCTIC AS,
JEDWARDS INTERNATIONAL, INC. and
VIRGIN ANTARCTIC LLC,

Counterclaim Plaintiffs,

v.

NEPTUNE TECHNOLOGIES &
BIORESSOURCES, INC. and
L'UNIVERSITÉ DE SHERBROOKE,

Counterclaim Defendants.

**AKBM ANTARCTIC'S RENEWED MOTION FOR
SUMMARY JUDGMENT OF NON-INFRINGEMENT**

Pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, Defendants Aker BioMarine ASA, Aker BioMarine Antarctic AS, Jedwards International, Inc., and Virgin Antarctic LLC (collectively "AKBM Antarctic") respectfully renew their motion for summary judgment of non-infringement against Plaintiffs Neptune Technologies & Bioressources, Inc. and L'Université de Sherbrooke (collectively "Neptune"). In support of this motion, AKBM

Antarctic relies on the Memorandum In Support Of AKBM Antarctic's Renewed Motion For Summary Judgment Of Non-Infringement, AKBM Antarctic's Statement Of Undisputed Facts In Support Of Its Renewed Motion For Summary Judgment, and the signed declarations of Antoine Thiery (with accompanying exhibits) and Matthew J. Shiels (with accompanying exhibits), all of which have been filed concurrently herewith.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), AKBM Antarctic respectfully requests oral argument on this Motion.

Dated: December 7, 2010

Respectfully submitted,

/s/ Matthew J. Shiels

Mark A. Pals, P.C. (*pro hac vice*)

Amanda Hollis (*pro hac vice*)

Matthew Shiels (*pro hac vice*)

Elizabeth Nemo (*pro hac vice*)

KIRKLAND & ELLIS LLP

300 North LaSalle Street

Chicago, Illinois 60654

(312) 862-2000

mark.pals@kirkland.com

amanda.hollis@kirkland.com

matthew.shiels@kirkland.com

elizabeth.nemo@kirkland.com

Peter E. Gelhaar (BBO# 188310)

DONNELLY, CONROY & GELHAAR LLP

1 Beacon St., 33rd Floor

Boston, Massachusetts 02108

(617) 720-2880

peg@dcglaw.com

*Attorneys for Defendants and Counterclaim
Plaintiffs*

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)

In compliance with Local Rule 7.1(a)(2), I hereby state that counsel for Defendants has conferred in good faith with counsel for Plaintiffs in an effort to narrow or resolve the issues raised in this motion.

/s/ Matthew J. Shiels

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2010, a true and correct copy of the foregoing **AKBM ANTARCTIC'S RENEWED MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT**, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on December 7, 2010.

*/s/ Matthew J. Shiels*_____